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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MINERVA MARTINEZ, SANDRA
SCOTT, CARL GRAHAM, ANNE
PARYS, DAVID ORTIZ, SEAN
CHAMBERS and TIFFANY JAMES,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

NISSAN NORTH AMERICA, INC., and
NISSAN MOTOR CO., LTD.

Defendants.

Case No. 3:22-cv-00354

CLASS ACTION

**SECOND SUPPLEMENTAL
DECLARATION OF LANA COOPER RE:
EXCLUSION REQUESTS**

1 I, LANA COOPER, declare and state as follows:

2
3 1. I am a Vice President with KCC Class Action Services, LLC (“KCC”), located in
4 San Rafael, California. Pursuant to the Preliminary Approval Order of Class Action Settlement (the
5 “Preliminary Approval Order”), dated August 17, 2022, the Court appointed KCC as the Claims
6 Administrator in connection with the proposed Settlement of the above-captioned Action.¹ I have
7 personal knowledge of the matters stated herein and, if called upon, could and would testify thereto.

8 2. The purpose of this declaration is to provide updated statistics, specifically related
9 to the exclusion requests received to date. This Second Supplemental Declaration updates my prior
10 Supplemental Declaration (ECF # 68), filed on February 22, 2023, which had reported the number
11 of exclusion requests received through that date.

12 **REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE**

13 3. The Notice informs Class Members that any request for exclusion from the
14 Settlement Class must be postmarked no later than February 13, 2023. As of the date of this
15 Declaration, KCC has received 1,334 requests for exclusion. Of these, 8 requests did not include a
16 signature; 2 requests did not include a signature or a VIN; 18 requests did not include a VIN; 53
17 requests reflect a VIN that is not a Class Vehicle included in the Class List; and 5 requests were
18 received after the February 13, 2023 postmark deadline and are considered late. Thus, 1,248
19 exclusions requests were timely and valid.
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26 ¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the
27 Settlement Agreement, dated August 1, 2022 (the “Settlement Agreement”) and/or the Preliminary
28 Approval Order. ²

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed on March 6, 2023 at San Rafael, California.

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5 _____
6 LANA COOPER
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